

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

LAMAR BROWN,

Plaintiff,

v.

PRO-SOURCE PERFORMANCE
PRODUCTS, INC.,
Defendant.

Civil Action No. 1:22-cv-06086

DECLARATION OF ROBERT CHINERY

I, Robert Chinery, being over the age of 18 years old, having been duly sworn, hereby declare that if called upon, I could testify to the following facts based on personal knowledge:

1. I am over the age of 18 and of sound mind, and have personal knowledge of the matters set forth herein.
2. I am a Website Developer for Pro-Source Performance Products, Inc. (“Pro Source”).
3. Pro-Source owns the website www.prosource.net (“Website”) and I am knowledgeable about the Website, maintenance to the Website and coding done on the Website.
4. I am responsible in part for building, managing, and innovating Pro-Source’s Website.
5. Prior to the inception of the lawsuit, Pro-Source had undertaken steps to comply with the Website Content Accessibility Guidelines 2.0/2.1 standards (“WCAG”).
6. After Pro-Source was served with the Complaint in this action, I personally reviewed the Website and allegations in the Complaint.

7. Changes were made to the Website based on the specific allegations made in the Complaint related to the Website's accessibility.

8. After those changes were made, the Website was tested by a visually impaired screen reader user named Robert Kingett on May 12, 2022 and on August 31, 2022.

9. I witnessed Robert Kingett review the Website on May 12, 2022 and review the August 31, 2022 video made.

10. Mr. Kingett was able to learn about Pro-Source's products, customer service contact information and purchase product from the Website, among other things.

11. I have personally made sure that all the true deficiencies alleged in the Complaint have been remedied and that no such barriers to access, as alleged, exist with the Website.

12. I am keeping accessibility and the WCAG standards in mind when making any changes to the Website and will continue to do so in the future.

13. Pro-Source also plans on testing the Website for accessibility in the future before releasing major updates to the Website.

14. Pro-Source is committed to continuing to keep its Website up to date and compliant with all applicable standards to make the Website as accessible to all as possible.

15. Pro-Source does not intend to let its Website fall behind the current standards and will continue to keep the Website up to date with any new standards because it does not wish to be involved in any further, unnecessary litigation and because of its commitment to being accessible to as many of its patrons, and as much of the public, as possible.

16. The Website has an Accessibility Statement which states in part: "If you have difficulty using or accessing any element of this website, please feel free to call us at 1-800-310-1555 or email us at webmaster@prosource.net and we will work with you to provide the


information, item, or transaction you seek through a communication method that is accessible for you consistent with applicable law.”

17. A true and accurate copy of Pro-Source’s Accessibility Statement located on the Website is attached hereto as Exhibit 1 to my Declaration (see also – <https://www.prosource.net/pages/accessibility-statement>).

18. Had Plaintiff called Pro-Source’s customer service line when he alleges he reviewed the Website, Plaintiff could have worked with someone from Pro-Source’s customer service team to place an order, learn information related to Pro-Source’s products and much more.

19. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing statements are true.

FURTHER DECLARANT SAYETH NAUGHT


Robert Chinery

Date: 8/31/2022

EXHIBIT 1



FREE SHIPPING ON ORDERS OVER \$200



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SEARCH:



[Accessibility Statement](#)

ProSource Accessibility Statement

Accessibility Assistance

If you have difficulty using or accessing any element of this website, please feel free to call us at **1-800-310-1555** or email us at webmaster@prosource.net and we will work with you to provide the information, item, or transaction you seek through a communication method that is accessible for you consistent with applicable law (for example, through telephone support).

Goal of Being Better For All

ProSource desires to provide a positive customer experience to all our customers, and we aim to promote accessibility and inclusion. Our goal is to permit our customers to successfully gather information and transact business through our website. Whether you are using assistive technologies like a screen reader, a magnifier, voice recognition software, or captions for videos, our goal is to make your use of ProSource's website a successful and enjoyable experience.

Actions

We are taking a variety of steps and devoting resources to further enhance the accessibility of our website.

Ongoing Effort

Although we are proud of the efforts that we have completed and that are in-progress, we at ProSource view accessibility as an ongoing effort.

Feedback

Please contact us at webmaster@prosource.net if you have any feedback or suggestions as to how we could improve the accessibility of this website.



SHIPPING AND DELIVERY

We're dedicated to delivering your products as quickly and affordably as possible. We offer a range of delivery options to suite your needs.



PAYMENT METHODS

We accept all major credit and debit cards. If you would like to pay via money order please give us a call at 1-800-310-1555



CONTACT US

To place an order, leave feedback or ask us a question you can reach us at **1-800-310-1555** Monday through Friday 9am-5pm eastern standard time.



2220 Landmark Place, STE 8
Manasquan, NJ 08736

1-800-310-1555

9:00 AM - 5:00PM EDT Monday - Friday

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